

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JUAREZ F. BARRETO,

Plaintiff,

- against -

The COUNTY OF SUFFOLK, et al.,

Defendants.

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APPEARANCES:

For Plaintiff: Juarez F. Barreto, Pro Se
 Din# 09A5863
 Riverview Correctional Facility
 P.O. Box 247
 Ogdensburg, NY 13669

For Defendants: Brian C. Mitchell, Esq.
 Suffolk County Dept. Of Law
 100 Veterans Memorial Highway
 P.O. Box 6100
 Hauppauge, NY 11788

SEYBERT, District Judge:

On December 22, 2010, the Court partially denied Defendants' motion to dismiss and, in so ruling, took the opportunity to sua sponte reconsider its earlier decision denying Plaintiff's motion for appointment of counsel. But, not wanting to infringe upon Plaintiff's right to appear pro se, the Court asked Plaintiff to inform the Court whether he still desired counsel. On January 3, 2011, Plaintiff wrote the Court to reaffirm that he still wanted counsel.

Under 28 U.S.C. § 1915(e)(1), "[t]he court may request an attorney to represent any person unable to afford counsel." Upon consideration of the claims remaining in Plaintiff's Amended

Complaint, the Court finds that the appointment of pro bono counsel in this case is warranted. Accordingly, it is hereby ORDERED that pro bono counsel be appointed to represent Plaintiff from the Court's pro bono panel, and that the Court's pro se office assist in whatever is needed to facilitate appointment of counsel.

SO ORDERED.

/s/ JOANNA SEYBERT
Joanna Seybert, U.S.D.J.

Dated: Central Islip, New York
January 10, 2011